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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,323	04/20/2004	Manabu Saito	113539.01	4040
25944	7590	06/14/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			GRAINGER, QUANA MASHELL	
			ART UNIT	PAPER NUMBER
			2852	
DATE MAILED: 06/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/827,323	SAITO ET AL.	
	Examiner	Art Unit	
	Quana M. Grainger	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,9-11,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 3-5,8 and 12-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/226,305.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 4-20-2004 was considered by the examiner.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the intermediate transfer member recited in claim 28 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

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pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Title

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 6-7, 9-11, and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi (5,446,525). The image forming apparatus by Kobayashi comprises an image forming section having a developer storage space into which developer is stored; and an ejection unit that ejects therefrom a recording medium on which an image has been formed by the image forming section, wherein the ejection unit owns an inclination portion which has a lower end and an upper end, while being obliquely formed, and at least a portion of the developer storage space of the image forming section is arranged in an area which is surrounded by the inclination

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portion, a horizontal plane extended from the lower end of the inclination portion, and a vertical plane extended from the upper end of the inclination portion (figures 1, 3). The image forming section having a developer storage space into which developer is stored; and an ejection unit 3h that ejects therefrom a recording medium on which an image is formed by the image forming section, wherein the ejection unit owns an inclination portion which is obliquely formed, and at least a portion of a wall surface 12 which surrounds the developer storage space along the inclination portion is formed. The image forming section includes a process cartridge B which includes an image carrier on which a latent image is formed, and a developing unit containing the developer storage, for developing the latent image of the image carrier so as to produce a visible image. The grip portion 14 is provided on the wall surface, which surrounds the developer storage space.

The inclination portion can be freely opened/closed, and the process cartridge can be detachably mounted via an opening portion which is formed when the inclination portion is opened (figure 3). The inclination portion of the ejection unit has the lower end in the vicinity of an exit port from which the recording medium is ejected, and is heightened toward the upper end of the inclination portion (figure 1). The grip portion is formed in such a manner that the grip portion is entered into an inner side of a wall surface of the grip portion. Kobayashi teaches a process cartridge used in an image forming apparatus containing an ejection unit having an inclination portion which is obliquely formed in order to eject therefrom a recording medium comprising: a developer storage space that stores therein developer, wherein at least a portion of the developer storage space is arranged in a space which is surrounded by the inclination portion, a horizontal plane extended from a lower end of the inclination portion, and also, a

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vertical plane extended from an upper end of the inclination portion (figure 1). The process cartridge used in an image forming apparatus containing an ejection unit having an inclination portion which is obliquely formed in order to eject therefrom a recording medium comprising: a developer storage space that stores therein developer, wherein at least a portion of a wall surface which surrounds the developer storage space is formed along the inclination portion.

7. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Inomata (6,081,676). The image forming apparatus by Inomata comprises an image forming section having a developer storage space into which developer is stored; and an ejection unit that ejects therefrom a recording medium on which an image has been formed by the image forming section, wherein the ejection unit owns an inclination portion which has a lower end and an upper end, while being obliquely formed, and at least a portion of the developer storage space of the image forming section is arranged in an area which is surrounded by the inclination portion, a horizontal plane extended from the lower end of the inclination portion, and a vertical plane extended from the upper end of the inclination portion (figure 1). The image forming section having a developer storage space into which developer 4 is stored; and an ejection unit 10 that ejects therefrom a recording medium on which an image is formed by the image forming section, wherein the ejection unit 9 owns an inclination portion which is obliquely formed, and at least a portion of a wall surface which surrounds the developer storage space along the inclination portion is formed.

Allowable Subject Matter

8. Claims 3-5, 8, and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 17-31 are allowed.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujiwara et al. (5,752,131) teaches pertinent prior art.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana M. Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on 8am-6pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Quana M Grainger
Primary Examiner
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QG